

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

TOYOTA JIDOSHA KABUSHIKI KAISHA )  
d/b/a TOYOTA MOTOR CORPORATION, )

Opposer )

v. )

SYNGENTA PARTICIPATIONS AG )

Applicant. )

157,206

Serial No.: 78/145,546

Filed: July 19, 2002

Mark: LEXUS

TOYOTA JIDOSHA KABUSHIKI KAISHA )  
d/b/a TOYOTA MOTOR CORPORATION, )

and TOYOTA MOTOR SALES, U.S.A., INC. )

Opposers )

v. )

SYNGENTA PARTICIPATIONS AG )

Applicant. )

Serial No.: 78/185,538

Filed: Nov. 15, 2002

Mark: LEXXUS

**APPLICANT'S REPLY IN CONJUNCTION WITH ITS MOTION FOR  
RECONSIDERATION**

Applicant would submit this brief reply to the response submitted by Opposers to Applicant's motion for reconsideration of this Board's Order of April 30, 2004.

Although it was not admitted by Opposers in their response, Opposers' partial response to Applicant's discovery requests were received by Applicant after it had filed its motion for reconsideration. While Opposers could have clarified this confusion, Applicant did receive a partial and



07-06-2004

U.S. Patent & TMOfr/TM Mail Rcpt Dt. #22

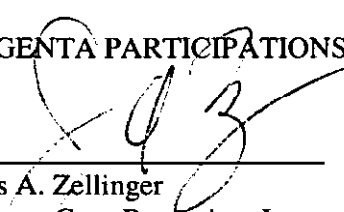
inadequate response to its discovery request from Opposers but only after the filing of its motion.

Opposers, in their response, have not challenged or contested the facts and argument submitted by Applicant. Therefore, in light of the lack of opposition, Applicant's motion should be granted.

WHEREFORE, it is respectfully requested that the Board withdraw its Order of April 30, 2004 and deny Opposers' request for consolidation.

APPLICANT

SYNGENTA PARTICIPATIONS AG

By: \_\_\_\_\_

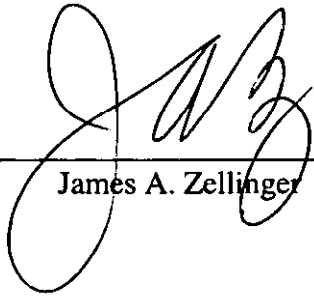
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CERTIFICATE OF SERVICE

I, JAMES A. ZELLINGER, do hereby certify that I have mailed a copy of the above and foregoing REPLY IN CONJUNCTION WITH ITS MOTION FOR RECONSIDERATION to Opposers' attorney of record as listed below by placing a copy of same in the U. S. Mail, properly addressed and postage prepaid, to:

David J. Kera  
Oblon, Spivak, McClelland, Maier & Neustadt, P.C.  
1940 Duke Street  
Alexandria, VA 22314

on this the 2 day of July, 2004.



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James A. Zellinger



James A. Zellinger  
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TTAB

July 2, 2004

Trademark Trial and Appeal Board  
U.S. Patent and Trademark Office  
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Arlington, VA 22202

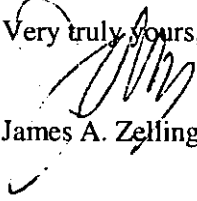
Re: *Toyota Jidosha Kabushiki Kaisha t/a Toyota Motor Corporation, and Toyota Motor Sales, U.S.A., Inc., v. Syngenta Participations AG.*  
*Consolidated Opposition Nos: 157,206 & 159,578*

Dear Sirs:

Please find enclosed Applicant's Reply in Conjunction With Its Motion for Reconsideration pertaining to the above-referenced opposition. Please file in conjunction with same.

Thank you for your assistance with this matter.

Very truly yours,

  
James A. Zellinger

JAZ/sk  
Encl.



07-06-2004

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